

DAVID LEE MILLER

10/21/2019

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

MAGNOLIA ISLAND PLANTATION, L.L.C., BARBARA MARIE CAREY LOLLAR	:	CIVIL ACTION NO. 5:18-cv-01526
VERSUS	:	DISTRICT JUDGE ELIZABETH FOOTE
LUCKY FAMILY, L.L.C., W.A. LUCKY, III, AND BOSSIER SHERIFF JULIAN C. WHITTINGTON, IN HIS OFFICIAL CAPACITY	:	MAGISTRATE JUDGE KAREN HAYES

DEPOSITION OF DAVID LEE MILLER

October 21, 2019

Reported By:  
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EXHIBIT F

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1 Q. (BY MR. POWELL) This is Exhibit 8.  
2 This is an October 12th e-mail from Mr. Curtis  
3 Shelton to Ms. Flournoy. It is providing  
4 information for Mr. Patrick Lacour, that  
5 Mr. Shelton says that he is located.

6 Do you see that?

7 A. Yes.

8 Q. Did the sheriff's office contact  
9 Mr. Lacour after receiving this e-mail?

10 A. I do not know.

11 Q. And who would know that?

12 A. Ms. Flournoy.

13 Q. Did anything in the file you reviewed  
14 indicate that your office contacted Mr. Lacour at  
15 this time?

16 A. I don't know.

17 Q. I'm saying in your review of the file,  
18 do you recall anything indicating that you  
19 contacted Mr. Lacour after receiving this  
20 information here?

21 A. I don't recall any documentation in the  
22 file.

23 (Miller Deposition Ex. 9 was  
24 marked for identification.)

25 Q. (BY MR. POWELL) This is Exhibit 9.

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1 Q. Mr. Curtis Shelton.

2 A. And that's also who I call the  
3 plaintiffs' attorney?

4 Q. That's correct, I believe.

5 A. There's going to be a great deal of  
6 communications in there with the plaintiffs'  
7 attorney.

8 Q. Okay. And so did the sheriff's office  
9 provide any background information to Mr. Lacour  
10 for him to make his appraisal?

11 A. I don't know.

12 Q. Who would know that?

13 A. Ms. Flournoy.

14 Q. Did you see any indication in the file  
15 that you reviewed that the sheriff's office  
16 provided any information to Mr. Lacour for the  
17 purpose of his appraisal?

18 A. Not that I recall.

19 Q. Did the sheriff's office hire  
20 Mr. Lacour?

21 A. Can you rephrase the question? I don't  
22 understand the question. Did we hire him?

23 Q. Did you retain Mr. Lacour?

24 A. Define retain. I mean, was there a  
25 contract between us? Not that I know of.

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1 Q. Was there any correspondence between  
2 the sheriff's office and Mr. Lacour requesting  
3 that he serve as the sheriff's appraiser?

4 A. I'm not sure. I don't know.

5 Q. Did you see any correspondence in the  
6 files that you reviewed between the sheriff's  
7 office and Mr. Lacour requesting that he serve as  
8 the sheriff's third appraiser?

9 A. Not that I recall.

(Miller Deposition Ex. 10 was  
marked for identification.)

12 Q. (BY MR. POWELL) This is Exhibit 10.  
13 This is entitled Appraisement Sheet signed by  
14 Mr. Chad Garland. Are you familiar with this  
15 document?

16 A. This form. Yes.

17 Q. You're familiar with the form. Are you  
18 familiar with who Mr. Garland is in this matter?

A. He is the appraiser for the plaintiff.

20 Q. That's correct. That's what it says  
21 there. Have you reviewed this document before?

A. I believe I reviewed it in the file.

23 Q. Does this appear to be a correct copy  
24 of that document?

A. It appears.

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1 correct copy of that sheet?

2 A. It appears.

3 Q. And what's his appraisal value?

4 A. \$157,009.22.

5 Q. Flip back to the front. Have you  
6 ever -- you've never reviewed this letter, you  
7 said?

8 A. No, I have not.

9 Q. Do you know if this is in the sheriff's  
10 office file?

11 A. I do not know.

12 Q. Were you aware when Mr. Lacour's  
13 appraisal came into the sheriff's office?

14 A. No.

15 Q. Who would have been aware of that?

16 A. Ms. Flournoy.

17 Q. Did the sheriff's office have any  
18 questions regarding Mr. Lacour's appraisal when  
19 it arrived?

20 A. Not that I know of.

21 Q. Who reviewed the appraisal for the  
22 sheriff's office?

23 A. It would have been Ms. Flournoy.

24 Q. Remind me again what her role was  
25 before she was moved to the records department.